

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON**

IN RE: ETHICON, INC., PELVIC REPAIR SYSTEM PRODUCTS LIABILITY LITIGATION	Master File No. 2:12-MD-02327 MDL No. 2327
THIS DOCUMENT RELATES TO THE CASES LISTED BELOW	JOSEPH R. GOODWIN U.S. DISTRICT JUDGE

<i>Mullins, et al. v. Ethicon, Inc., et al.</i>	<i>2:12-cv-02952</i>
<i>Sprout, et al. v. Ethicon, Inc., et al.</i>	<i>2:12-cv-07924</i>
<i>Iquinto v. Ethicon, Inc., et al.</i>	<i>2:12-cv-09765</i>
<i>Daniel, et al. v. Ethicon, Inc., et al.</i>	<i>2:13-cv-02565</i>
<i>Dillon, et al. v. Ethicon, Inc., et al.</i>	<i>2:13-cv-02919</i>
<i>Webb, et al. v. Ethicon, Inc., et al.</i>	<i>2:13-cv-04517</i>
<i>Martinez v. Ethicon, Inc., et al.</i>	<i>2:13-cv-04730</i>
<i>McIntyre, et al. v. Ethicon, Inc., et al.</i>	<i>2:13-cv-07283</i>
<i>Oxley v. Ethicon, Inc., et al.</i>	<i>2:13-cv-10150</i>
<i>Atkins, et al. v. Ethicon, Inc., et al.</i>	<i>2:13-cv-11022</i>
<i>Garcia v. Ethicon, Inc., et al.</i>	<i>2:13-cv-14355</i>
<i>Lowe v. Ethicon, Inc., et al.</i>	<i>2:13-cv-14718</i>
<i>Dameron, et al. v. Ethicon, Inc., et al.</i>	<i>2:13-cv-14799</i>
<i>Vanbuskirk, et al. v. Ethicon, Inc., et al.</i>	<i>2:13-cv-16183</i>
<i>Mullens, et al. v. Ethicon, Inc., et al.</i>	<i>2:13-cv-16564</i>
<i>Shears, et al. v. Ethicon, Inc., et al.</i>	<i>2:13-cv-17012</i>
<i>Javins, et al. v. Ethicon, Inc., et al.</i>	<i>2:13-cv-18479</i>
<i>Barr, et al. v. Ethicon, Inc., et al.</i>	<i>2:13-cv-22606</i>
<i>Lambert v. Ethicon, Inc., et al.</i>	<i>2:13-cv-24393</i>
<i>Cook v. Ethicon, Inc., et al.</i>	<i>2:13-cv-29260</i>
<i>Stevens v. Ethicon, Inc., et al.</i>	<i>2:13-cv-29918</i>
<i>Harmon v. Ethicon, Inc., et al.</i>	<i>2:13-cv-31818</i>
<i>Snodgrass v. Ethicon, Inc., et al.</i>	<i>2:13-cv-31881</i>
<i>Miller v. Ethicon, Inc., et al.</i>	<i>2:13-cv-32627</i>
<i>Matney, et al. v. Ethicon, Inc., et al.</i>	<i>2:14-cv-09195</i>
<i>Jones, et al. v. Ethicon, Inc., et al.</i>	<i>2:14-cv-09517</i>
<i>Humbert v. Ethicon, Inc., et al.</i>	<i>2:14-cv-10640</i>
<i>Gillum, et al. v. Ethicon, Inc., et al.</i>	<i>2:14-cv-12756</i>
<i>Whisner, et al. v. Ethicon, Inc., et al.</i>	<i>2:14-cv-13023</i>
<i>Tomblin v. Ethicon, Inc., et al.</i>	<i>2:14-cv-14664</i>

<i>Schepleng v. Ethicon, Inc., et al.</i>	<i>2:14-cv-16061</i>
<i>Tyler, et al. v. Ethicon, Inc., et al.</i>	<i>2:14-cv-19110</i>
<i>Kelly, et al. v. Ethicon, Inc., et al.</i>	<i>2:14-cv-22079</i>
<i>Lundell v. Ethicon, Inc., et al.</i>	<i>2:14-cv-24911</i>
<i>Cheshire, et al. v. Ethicon, Inc., et al.</i>	<i>2:14-cv-24999</i>
<i>Burgoyne, et al. v. Ethicon, Inc., et al.</i>	<i>2:14-cv-28620</i>
<i>Bennett, et al. v. Ethicon, Inc., et al.</i>	<i>2:14-cv-29624</i>

**PLAINTIFFS' MOTION TO PERMIT LIVE TRIAL TESTIMONY VIA
CONTEMPORANEOUS TRANSMISSION**

Plaintiffs respectfully request that this Court permit live trial testimony via contemporaneous transmission pursuant to Federal Rules of Civil Procedure 43 and 45.

As set forth more fully in Plaintiffs' Memorandum in Support of this Motion, Plaintiffs request live video testimony for Defendants' current employees Dan Smith and Laura Angelini, who live and work outside of West Virginia. Although Defendants maintain control over Mr. Smith and Ms. Angelini, who have knowledge that is essential to this case, Defendants refuse to produce them at trial for Plaintiffs' case or agree to conduct their testimony via live video. Because these witnesses reside outside of West Virginia, Plaintiffs cannot otherwise compel their attendance in Charleston.

For the foregoing reasons, and for the reasons contained in Plaintiffs' Memorandum in Support of Motion to Permit Live Trial Testimony via Contemporaneous Transmission, submitted herewith, Plaintiffs respectfully request that the Court permit live trial testimony via videoconference for these witnesses. Alternatively, Plaintiffs request that the Court: (1) order a trial deposition of each witness; and (2) bar Defendants from using live testimony of any witness it refuses to make available for Plaintiffs' case.

Dated: October 30, 2015

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on October 30, 2015, I electronically filed the foregoing document with the Clerk of the court using the CM/ECF filing system, which will send notification of such filing to the CM/ECF participants registered to receive service.

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